

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

VINCENT SPENCER,	:	CIVIL ACTION NO. 02-CV-4603
	:	
Petitioner	:	
	:	
vs.	:	
	:	
ROBERT W. MYERS, ET AL.,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 28th day of April 2003, upon careful and independent consideration of the petition for a writ of *habeas corpus*¹, and after review of the Report and Recommendation of the Chief United States Magistrate Judge James R. Melinson, **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation is **Approved and Adopted**.
2. The petition for writ of *habeas corpus* is **DENIED WITH PREJUDICE**.
3. There is no probable cause to issue a certificate of appealability.
4. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:

Hon. Petrese B. Tucker, U.S.D.J.

¹ Petitioner filed a change of address on January 16, 2003. Thereafter, Defendant filed a Motion for Extension of Time to file his objections to the Magistrate's Report and Recommendation on January 29, 2003. The Court issued an Order on February 12, 2003, giving Petitioner until March 24, 2003 to file his objections. As of the date of this Order, Petitioner has not filed his objections. Therefore, the Court will review the Magistrate Report and Recommendation without Petitioner's objections.